



The Punjab Laws (Extension No. 9) Act, 1960

Act 43 of 1960

Keyword(s):

Transferred Territories, Extension of Laws, Regional Laws

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THE PUNJAB LAWS (EXTENSION NO. 9)
ACT, 1960

(PUNJAB ACT NO. 43 OF 1960)

[Received the assent of the President on the 18th December, 1960 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 30th December, 1960.]

AN

ACT

to provide for the extension of certain laws to the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union.

BE it enacted by the Legislature of the State of Punjab in the Eleventh Year of the Republic of India as follows:—

(1) This Act may be called the Punjab Laws (Extension No. 9) Act, 1960.

Short title and
commencement.

(2) It shall come into force at once.

2. In this Act—

Definitions.

(a) "Schedule" means a Schedule appended to this Act,

(b) "transferred territories" means the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union.

3. The Punjab General Clauses Act, 1898, shall apply for the interpretation of this Act as it applies for the interpretation of a Punjab Act.

Interpretation.

¹For statement of objects and reasons, see *Punjab Government Gazette* (Extraordinary) 1960, page 2010.

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Extension of
certain laws
to transferred
territories.

4. All the enactments, as amended from time to time, specified in Schedule I and so much of the enactment, as amended from time to time, specified in Schedule II as extends to the territories which, immediately before the 1st November, 1956, were comprised in the State of Punjab and relates to matters with respect to which the State Legislature has power to make laws for a State, and all rules, regulations, notifications, orders and by-laws made, and all directions or instructions issued, thereunder, which are in force immediately before the commencement of this Act in the said territories are hereby extended to, and shall be in force in, the transferred territories.

Construction of
certain references

5. In the enactments, or rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, thereunder, as referred to in section 4, any reference—

- (1) to a law which is not in force in the transferred territories shall in relation to such territories, be construed as a reference to the corresponding law, if any, in force in such territories, and
- (2) to the State of Punjab, by whatever form of words, shall be construed as including a reference to the transferred territories.

Repeals and
savings.

6. If immediately before the commencement of this Act, there is in force in the transferred territories any law corresponding to any of the enactments or rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, thereunder, extended to those territories by section 4, that law, including the enactments specified in Schedule III, shall on the commencement of this Act, save as otherwise expressly provided in this Act, stand repealed :

Provided that such repeal shall not affect—

- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder; or
- (b) any right, privilege, obligation or liability acquired or incurred under any law so repealed; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed :

Provided further that anything done or any action taken under any law so re-pealed shall be deemed to have been done or taken under the corresponding provision of the enactment extended by section 4 to the transferred territories, and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under the enactment so extended.

7. For purposes of facilitating the application in the transferred territories of any enactment specified in Schedule I or Schedule II or of any rule, regulation, notification, order, by-law, direction or instruction referred to in section 4, any court or other authority may construe the same with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the court or other authority.

Powers of Courts and other authorities for purposes of facilitating application of the enactments specified in Schedules I or II or rules, etc.

Power to make
rules, etc., not
to be affected.

8. Nothing contained in this Act shall affect the Power of the State Government or of any officer or authority, exercisable under the enactment, specified in Schedules I and II, to add to, amend, vary or rescind the rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, as extended by section 4 to the transferred territories.

Power to remove
difficulties.

9. If any difficulty arises in giving effect in the transferred territories to the Provisions of any enactment specified in Schedule I or Schedule II, the State Government may, by order notified in the Official Gazette, make such Provisions or give such direction as appear to it to be necessary or expedient, for the removal of the difficulty.

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SCHEDULE 1

EXTENSION OF PUNJAB ACTS

(See Section 4)

| Serial No. | Year | Number of Act | Short title |
|---------------|------|-------------------|--|
| 1 | 2 | 3 | 4 |
| 1 | 1920 | (I of 1920) .. | The Punjab Limitation (Custom) Act 1920. |
| 2 | 1920 | (II of 1920) .. | The Punjab Custom (Power to Contest) Act, 1920. |
| 3 | 1949 | (XXIX of 1949) .. | The East Punjab Children Act, 1949. |

SCHEDULE II

EXTENSIONS OF CENTRAL ACT

(See section 4)

| Serial No | Year | Number of Act | Short title |
|--------------|------|------------------|---|
| 1 | 2 | 3 | 4 |
| 1 | 1887 | (VII of 1887) .. | The Suits Valuation Act, 1887 as amended by Punjab Acts No. I of 1938 and No. XIII of 1942. |

SCHEDULE III

REPEAL

(See section 6)

| Serial No. | Year | Number of Act | Short title |
|---------------|----------|---------------------|--|
| 1 | 2 | 3 | 4 |
| 1 | 2000 Bk. | (IX of 2000 Bk.) .. | The Patiala Customs (Power to Contest) Act, 2000 Bk. |
| 2 | 2000 Bk. | (X of 2000 Bk.) .. | The Patiala Limitation (Custom) Act, 2000 Bk. |
| 3 | 2005 Bk. | (X of 2005 Bk.) .. | Sections 95, 96, 97, 98 and 99 of the Pepsu Judicature Ordinance, 2005 Bk. |